

(4) ANY CHANGE IN THE MONITORING OR OVERSIGHT STATUS.

3A-310.

THIS SUBTITLE MAY NOT BE CONSTRUED TO GIVE THE SECRETARY AUTHORITY OVER:

(1) THE CONTENT OF EDUCATIONAL APPLICATIONS OR CURRICULUM AT THE STATE OR LOCAL LEVEL; OR

(2) THE ENTITIES THAT MAY PARTICIPATE IN SUCH EDUCATIONAL PROGRAMS.

3A-311.

(A) THE SECRETARY, IN CONSULTATION WITH OTHER UNITS OF STATE GOVERNMENT, AND AFTER PUBLIC COMMENT, SHALL DEVELOP A NONVISUAL ACCESS CLAUSE FOR USE IN THE PROCUREMENT OF INFORMATION TECHNOLOGY AND INFORMATION TECHNOLOGY SERVICES THAT SPECIFIES THAT THE TECHNOLOGY AND SERVICES:

(1) MUST PROVIDE EQUIVALENT ACCESS FOR EFFECTIVE USE BY BOTH VISUAL AND NONVISUAL MEANS;

(2) WILL PRESENT INFORMATION, INCLUDING PROMPTS USED FOR INTERACTIVE COMMUNICATIONS, IN FORMATS INTENDED FOR BOTH VISUAL AND NONVISUAL USE;

(3) CAN BE INTEGRATED INTO NETWORKS FOR OBTAINING, RETRIEVING, AND DISSEMINATING INFORMATION USED BY INDIVIDUALS WHO ARE NOT BLIND OR VISUALLY IMPAIRED; AND

(4) SHALL BE OBTAINED, WHENEVER POSSIBLE, WITHOUT MODIFICATION FOR COMPATIBILITY WITH SOFTWARE AND HARDWARE FOR NONVISUAL ACCESS.

(B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE NONVISUAL ACCESS CLAUSE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE INCLUDED IN EACH INVITATION FOR BIDS OR REQUEST FOR PROPOSALS AND IN EACH PROCUREMENT CONTRACT OR MODIFICATION OF A CONTRACT ISSUED UNDER TITLE 13 OF THIS ARTICLE, WITHOUT REGARD TO THE METHOD CHOSEN UNDER TITLE 13, SUBTITLE 1 OF